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March 18, 2004

Marlene S. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

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**Re: Notice of Ex Parte
Presentation
WT Docket No. 02-55**

Dear Ms. Dortch:

This is to advise that on March 17 the undersigned, representing the National Association of Manufacturers and MRFAC, Inc. and Frank C. Weaver, Director, Telecommunication Policy, The Boeing Company, met with Jennifer Manner, Legal Assistant to Commissioner Abernathy, regarding the above-referenced proceeding. The focus of the meeting was on implementation steps in the event the agency should adopt some form of re-banding, and on the need to resolve border area issues. The attached document was exchanged during the meeting.

An original and one copy of the letter are submitted for inclusion in the Docket.

Sincerely,

/s/ William K. Keane

William K. Keane

Attachment

cc: Jennifer Manner

WSH\110305.1

DUANE MORRIS LLP

Due Process and Re-Banding

Implementation of any re-banding should adhere closely to existing Rule 90.699 with minimal adjustments to accommodate NPSPAC block relocation. For example:

Require mandatory negotiations commencing on effective date of Report and Order with end dates keyed to relocation date for each Region

Retain requirement that new facilities be comparable to replaced facilities

Require Nextel to complete negotiations and effect relocations in each region by specified dates certain

Condition availability of new spectrum assignments on Nextel completing relocations

Retain the existing Rule's provision for involuntary relocation in the absence of agreement

Require resort to alternative dispute resolution on expedited basis in the event of disagreements over comparability and/or reimbursement

Create expedited process for Commission review of any unresolved disputes

Five years' operating costs per current Rule 90.699